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**From:** Calli, Rosemary [Calli.Rosemary@epa.gov]  
**Sent:** 9/3/2019 9:39:41 PM  
**To:** Zimmerman, Eve [Zimmerman.Eve@epa.gov]  
**CC:** McGill, Thomas [Mcgill.Thomas@epa.gov]; Jones, Erica [Jones.Erica@epa.gov]; Laycock, Kelly [Laycock.Kelly@epa.gov]  
**Subject:** RE: Tribal Consultation Forecast

Eve – Our only responsive item is Florida's 404 assumption effort.

For #1, I'm not sure what TCA means. The status is that if Florida submits their formal request to assume administration of a 404 program, we will consult with the tribes at that time. Does that make it draft or TCA?

1. Status:
2. Program Contact: Kelly Laycock
3. Scope: Regional
4. Activity Description: If the state of Florida submits a request to assume administration of a CWA section 404 program, EPA will initiate consultations with the tribes in Florida promptly.
5. Methodology: Letter
6. Approximate Start and End dates: TBD if/when the state of Florida submits a request to assume administration of a 404 program.
7. Number of Tribes to be engaged: 3

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**From:** McGill, Thomas <Mcgill.Thomas@epa.gov>  
**Sent:** Tuesday, September 3, 2019 10:05 AM  
**To:** Ellington, Natalie <Ellington.Natalie@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>  
**Cc:** Zimmerman, Eve <Zimmerman.Eve@epa.gov>; Jones, Erica <Jones.Erica@epa.gov>  
**Subject:** FW: Tribal Consultation Forecast

Natalie and Rosemary – Please see the email below and respond to Eve with a “cc” to Erica and me by Sep 20 regarding any anticipated items that would fall under the scope of potential Tribal consultation during 2020. At a minimum we will identify 404 assumption in FL as a potential item, but I'm not aware of any other potential consultations we may conduct in the branch. Tom

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**From:** Zimmerman, Eve <[Zimmerman.Eve@epa.gov](mailto:Zimmerman.Eve@epa.gov)>  
**Sent:** Tuesday, September 3, 2019 8:37 AM  
**To:** Able, Tony <[Able.Tony@epa.gov](mailto:Able.Tony@epa.gov)>; McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; Smith, Brian <[Smith.Brian@epa.gov](mailto:Smith.Brian@epa.gov)>; Thomas, Chris <[Thomas.Chris@epa.gov](mailto:Thomas.Chris@epa.gov)>  
**Cc:** Jones, Erica <[Jones.Erica@epa.gov](mailto:Jones.Erica@epa.gov)>  
**Subject:** Tribal Consultation Forecast

AIEO establishes a list of prospective consultations that have been identified for the next six month. This information is published in the Tribal Consultation Opportunity Tracking System (TCOTS) for public access. Please provide a list the consultations that are likely to occur during the first and second quarters of FY20. In order to populate the TCOTS database, the following information is needed for each potential consultation.

Topic of the consultation:

1. Status: TCA, Draft, or Approved
2. Program Contact:
3. Scope: Regional or National
4. Activity Description:
5. Methodology: Teleconference, Letter, or Other (please specify)
6. Approximate Start and End dates:
7. Number of Tribes to be engaged:

**Would you please provide your information by September 20, 2019?** This will allow time for approved by Becky Garnett, the Region's Acting Tribal Consultation Advisor and published online AIEO by the October 1 deadline.

In reviewing actions for potential consultations, you may want to consider the following:

1. Circumstances for which consultation is generally appropriate across all programs (from May 2011 Consultation Policy):
  - Policies, guidance documents, directives
  - Budget and priority planning development
  - Legislative comments
  - Permits
  - Civil enforcement and compliance monitoring actions
  - Response actions and emergency preparedness
  - State or Tribal authorizations or delegations
  - EPA activities in implementation of U.S. obligations under an international treaty or agreement
2. Actions specific to Water Management Division
  - Water Quality Standards Revisions
  - Site-specific Water Quality Criteria
  - 303(d) Impaired Waters List
  - Total Maximum Daily Loads (TMDLs)
  - Establishment of Regulatory Roles for a Public Drinking Water System (where multiple jurisdictions control drinking water supply, the EPA must mediate selection of the appropriate oversight organization)
  - Approval of Class 6 Underground Injection Control (UIC) Permits (e.g., fracking permits)
  - 401 Certification of USACE Nationwide Permits
  - 402 Permits issued by EPA

Thank you so much for your help.

Eve M. Zimmerman  
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